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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/303,561	09/09/1994	JOHANNES G. BEDNORZ	YO987074BY	8466

7590

07/11/2003

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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106

DATE MAILED:

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**Commissioner for Patents**

For the reasons set forth in paper #105 (Remand mailed 3/11/03), the following substitute and reply briefs are defective:

- 1) Reply (to the Examiner's Answer) filed on or about 7/19/00,
- 2) Supplemental Reply (to the Examiner's Answer) filed on or about 8/7/00,
- 3) Substitute Supplemental Reply (to the Examiner's Answer) filed on or about 8/28/00,
- 4) Second Supplemental Reply (to the Examiner's Answer) filed on or about 10/10/00,
- 5) Third Supplemental Reply (to the Examiner's Answer) filed on or about 2/5/02,
- 6) Fourth Supplemental Reply (to the Examiner's Answer) filed on or about 2/14/03.

Appellants are required to file a substitute brief referring and relying only upon evidence that has been entered and considered by the examiner. Appellant should annotate their references to evidence in the substitute brief with an identification of the specific portion of the file record that reflects entry and consideration of such evidence in question. If such annotation is not possible because the examiner has not yet considered whether to enter or not enter the evidence, this fact should be expressly stated in the brief (in order to assist the examiner in resolving entry vs. non-entry under 37 CFR 1.195). Appellants should note Paper #88 (mailed 9/13/99) specifying entry/non-entry of various amendments, remarks and Declarations filed before the Examiner's Answer. The examiner's comments regarding the entered evidence appear in Paper #77E (Advisory mailed 2/25/99).

Appellant is given a time period of **THREE MONTHS** from the mailing of this communication to comply with the provisions of 37 CFR 1.196(d). Extensions of time will **NOT** be granted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Kopec whose telephone number is 703 308-1088. The examiner can normally be reached on Monday - Thursday from 8:30 AM to 6:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 703 308-4708. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9310 for regular communications and 703 872-9311 for After Final communications.

MK  
July 10, 2003

  
**Mark Kopec**  
**Primary Examiner**